

**BEFORE THE THREE MEMBER DUE PROCESS HEARING PANEL
EMPOWERED BY THE MISSOURI STATE BOARD OF EDUCATION
PURSUANT TO SECTION 162.961, RSMO**

IN THE MATTER OF:)	
)	
, by and through her parents,)	
)	
Petitioners,)	
)	
vs.)	Margaret M. Mooney, Chair
)	
Special School District of St. Louis County,)	
)	
Respondent.)	

COVER SHEET

PETITIONER

Student's Name:

DOB:

Grade Level: Pre School

Parent's Name(s):

Address:

Representative: (parent is an attorney and represented himself)

Company: attorney

Address:

RESPONDENT

Local Education Agency: Special School District of St. Louis County

Address: St. Louis, Missouri

Representative:

Alefia Mithaiwala

Address:

Thomeczek Law Firm

1120 Olivette Executive Parkway, Ste. 210

St. Louis, Missouri 63132

Hearing Dates:

None

Date of Dismissal:

5/9/06

Panel Members: Ms. Marilyn McClure
 Dr. George Wilson
 Ms. Margaret M. Mooney, Chair

ISSUES AND PURPOSE OF HEARING

Parents filed two separate due process requests which were consolidated into this matter. Initially Parents sought a hearing because of reliance on false OT assessments and refusal to consider proper assessments. Shortly thereafter Parents filed a second request alleging inadequate notice for an IEP meeting. They requested reimbursement for occupational therapy and physical therapy provided by Children's Hospital; that the improper IEP meeting be quashed and stay put be the placement prior to the disputed IEP.

TIME LINE INFORMATION

Parents' initial request for a due process was received by the Department of Elementary and Secondary Education on March 17, 2006 and assigned by DESE to Joshua Douglass as Hearing Chair. Parents' second due process request was received by DESE on March 24, 2006 and assigned by DESE to Margaret M. Mooney as Hearing Chair. Special School District requested that the two matters be consolidated, this was done by consent on April 18, 2006. The parties waived a resolution session and entered into a settlement agreement and release on April 18, 2006, which was provided to the Chair. However, the settlement provided that it would be implemented for a period of time before Parents would file their dismissal. Parents' dismissal was received by the Chair on May 2, 2006.

On May 5, 2006 Parents notified the Chair that this matter was dismissed with prejudice. On May 9, 2006 the Chair entered a dismissal of the Due Process.

**BEFORE THE THREE MEMBER DUE PROCESS HEARING PANEL
EMPOWERED BY THE MISSOURI STATE BOARD OF EDUCATION
PURSUANT TO SECTION 162.961, RSMO**

, by and through her parents,)	
)	
Petitioners,)	
)	
vs.)	Margaret M. Mooney, Chair
)	
Special School District of St. Louis County,)	
)	
Respondent.)	

Order of Dismissal

The Parties have notified the Chair that they have resolved all matters between them and entered into a Settlement Agreement and Release. Pursuant to this agreement Parents have dismissed their claims.

Now therefore, this matter is Dismissed.

Margaret M. Mooney, Chair

Dated: May 9, 2006

Cc: Parents
Ms. Alefia Mithaiwala
Ms. Margaret Strecker